

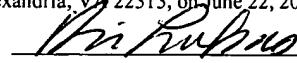


IPC

PATENT  
Docket No. \*

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Rimas T. Lukas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Thomas M. BAER et al.

Serial No.: 10/827,151

Filing Date: April 19, 2004

For: TRANSFER FILM FOR LASER  
MICROCAPTURE

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Commissioner:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached PTO-1449 Forms. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/788,117, filed February 16, 2001, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R.

§1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of \* is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

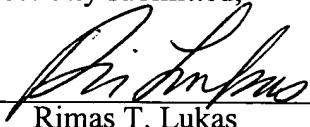
Applicants would appreciate the Examiner initialing and returning the Forms PTO-1449, and/or PTO/SB/08A indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time. The Office is invited to contact the applicant's representative at the number below to facilitate prosecution of this application.

Dated: June 22, 2004

Respectfully submitted,

By: 

Rimas T. Lukas  
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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)	Application Number	10/827,151	
	Filing Date	April 19, 2004	
	First Named Inventor	Thomas M. BAER	
	Art Unit	Not yet assigned	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	12	Attorney Docket Number	ARC012001301

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): --Forms PTO-1449 --8 pages --Return Postcard
<input type="checkbox"/> Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rimas T. Lukas (Reg. No. 46,451)
Signature	
Date	June 22, 2004

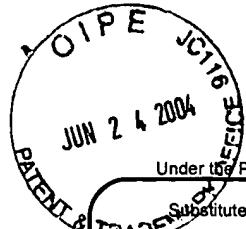
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Typed or printed name	Rimas T. Lukas
Signature	
Date	June 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (08-03)

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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 1

<b>Complete if Known</b>	
Application Number	10/827,151
Filing Date	April 19, 2004
First Named Inventor	Thomas M. BAER
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	ARC012001301

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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JUN 24 2004

PTO/SB/08 (2-92)  
Sheet 1 of 2

Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number ARC012001301

Application Number 10/827,151

Applicant

Thomas M. BAER et al.

Filing Date April 19, 2004

Group Art Unit Not yet assigned

Mailing Date June 22, 2004

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
1.	11/25/1986	4,624,915	Schindler et al.				
2.	12/16/1986	4,629,687	Schindler et al.				
3.	04/13/1993	5,202,230	Kamentsky				
4.	12/26/1995	5,479,252	Worster et al.				
5.	07/30/1996	5,541,064	Bacus et al.				
6.	09/09/1997	5,665,582	Kausch et al.				
7.	03/03/1998	5,723,290	Eberwine et al.				
8.	06/02/1998	5,759,781	Ward et al.				
9.	10/06/1998	5,817,462	Garini et al.				
10.	12/07/1999	5,998,129	Schütze et al.				
11.	08/08/2000	6,100,051	Goldstein et al.				
12.	04/10/2001	6,215,550 B1	Baer et al.				
13.	06/26/2001	6,251,467 B1	Liotta et al.				
14.	06/26/2001	6,251,516 B1	Bonner et al.				
15.	10/18/2001	US Publication no. 2001/0031481 A1	Liotta et al.				

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
16.	02/10/2000	WO 00/06992 A1	WIPO				
17.	05/30/1991	WO 91/07683 A1	WIPO				
18.	08/14/1997	196 03 996 A1	Germany				X

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner	Ref.	Title

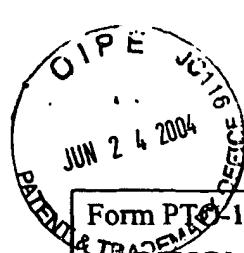
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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Docket Number <b>ARC012001301</b>	Application Number <b>10/827,151</b>
		Applicant	<b>Thomas M. BAER et al.</b>
		Filing Date <b>April 19, 2004</b>	Group Art Unit <b>Not yet assigned</b>
		Mailing Date <b>June 22, 2004</b>	
Initials	No.		
	<b>19.</b>	English Abstract for German Patent DE 196 03 996 A1 retrieved in Dialog database in file 12 on December 12, 2001.	

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1.	04/17/1979	4,149,803	Litz				
2.	01/13/1981	4,245,003	Oransky et al.				
3.	06/08/1982	4,333,983	Allen				
4.	12/17/1985	4,559,266	Misasa et al.				
5.	06/16/1987	4,673,261	Hunt et al.				
6.	03/15/1988	4,731,530	Mikan				
7.	02/20/1990	4,901,738	Brink et al.				
8.	04/24/1990	4,920,053	Inoue et al.				
9.	05/08/1990	4,923,294	Courtenay				
10.	01/22/1991	4,987,006	Williams et al.				
11.	10/15/1991	5,057,689	Nomura et al.				
12.	12/31/1991	5,077,620	Mauro				
13.	03/17/1992	5,096,775	Sato et al.				
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15.	01/18/1994	5,280,384	Shibasaki				
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18.	09/13/1994	5,346,765	Maeda et al.				
19.	02/21/1995	5,391,329	Dougherty et al.				
20.	11/21/1995	5,468,967	Chan et al.				
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22.	06/25/1996	5,529,841	Neihof				
23.	11/12/1996	5,574,077	Dougherty et al.				
24.	11/19/1996	5,576,264	Ueno et al.				
25.	12/03/1996	5,580,612	Hickel et al.				
26.	12/17/1996	5,585,246	Dubrow et al.				

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		Filing Date April 19, 2004	Group Art Unit Not yet assigned
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27.	02/14/1997	USSN 08/800,882	Baer et al.			
28.	10/14/1997	5,677,197	Gordon et al.			
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32.	06/09/1998	5,763,191	Knoll et al.			
33.	07/23/1998	USSN 09/121,635	Baer et al.			
34.	07/23/1998	USSN 09/121,677	Baer et al.			
35.	07/23/1998	USSN 09/121,691	Baer et al.			
36.	12/01/1998	5,843,644	Liotta et al.			
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38.	12/08/1998	USSN 09/208,604	Baer et al.			
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40.	02/09/1999	5,869,345	Chandler			
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42.	11/16/1999	5,985,085	Baer et al.			
43.	01/04/2000	6,010,888	Liotta et al.			
44.	05/01/2000	USSN 09/562,495	Lossing et al.			
45.	07/17/2000	USSN 09/617,742	Baer et al.			
46.	12/05/2000	6,157,446	Baer et al.			
47.	02/06/2001	6,184,973 B1	Baer et al.			
48.	03/20/2001	6,204,030 B1	Liotta et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	49.	04/08/1997	09 095657	Japan			Abstract
	50.	09/08/1995	WO 95/23960 A1	WIPO			
	51.	04/17/1997	WO 97/13838 A1	WIPO			
	52.	08/13/1998	WO 98/35215 A1	WIPO			
	53.	08/13/1998	WO 98/35216 A1	WIPO			

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54.	08/20/1998	WO 98/36261 A1	WIPO					
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56.	06/15/2000	WO 00/34757 A1	WIPO					
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## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	58.	Banks, Rosamunde E. et al. (1999). "The potential use of laser capture microdissection to selectively obtain distinct populations of cells for proteomic analysis - Preliminary findings" <i>Electrophoresis</i> 20:689-700.
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	61.	Chu, Samuel S. et al. (April 2000). "Laser capture microdissection: Applications in Cancer Research" <i>Cancer Research</i> pp. 1-4.
	62.	Curran, S. et al. (2000). "Laser capture microscopy" <i>Molecular Pathology</i> 53(2):64-68.
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	64.	Emmert-Buck, Michael R. et al. (8 November 1996). "Laser capture microdissection" <i>Science</i> 274:998-1001.
	65.	Emmert-Buck, Michael R. et al. (April 2000). "Molecular profiling of clinical tissue specimens. Feasibility and applications" <i>American Journal of Pathology</i> 156(4):1109-1115
	66.	Fend, Falko et al. (1999). "Immuno-LCM: Laser capture microdissection of immunostained frozen sections for mRNA analysis" <i>American Journal of Pathology</i> 154(1):1-6.
	67.	Fend, Falko and Raffeld, Mark (September 2000). "Laser capture microdissection in pathology" <i>American Journal of Pathology</i> 53(9):666-672.
	68.	Friend, Tim (August 5, 1997). "Microdissection breakthrough lets scientists isolate those involved in tumor growth" <i>USA Today</i> Section 4D pp.1-3.
	69.	Geduspan, Jane S. and Solursh, Michael (1992). "A growth-promoting influence from the mesonephros during limb outgrowth" <i>Devel. Biology</i> 151(1):242-250.
	70.	Goldstein, Seth R. et al. (1 November 1998). "Thermal modeling of laser capture microdissection" <i>Applied Optics</i> 37(31):7378-7391.

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71.	Goldsworthy, Susan M. et al. (1999). "Effects of fixation on RNA extraction and amplification from laser capture microdissected tissue" <i>Molecular Carcinogenesis</i> 25:86-91.
72.	Haber, Seth L. (September 1999). "Future Innovations in Pathology: PixCellated" CAP Today pp. 1-2.
73.	Isenberg, G. et al. (May 1976). "Cell surgery by laser micro-dissection: a preparative method" <i>J. Microscopy</i> 107, Pt 1:19-24.
74.	Jones, Chris et al. (June 2000). "Comparative genomic hybridization analysis of myoepithelial carcinoma of the breast" <i>Laboratory Investigation</i> 80(6):831-836.
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78.	Liotta, Lance A. and Petricoin, Emanuel F. (2000). "Beyond the genome to tissue proteomics" <i>Breast Cancer Research</i> 2(1):13-14.
79.	Maitra, Anirban et al. (Rev. 1/26/1999). "Enrichment of epithelial cells for molecular studies" <i>Hamon Center for Therapeutic Oncology Research and Departments of Pathology, Internal Medicine and Pharmacology, University of Texas Southwestern Medical Center Dallas, Texas</i> pp. 1-23.
80.	Meier-Ruge, W. et al. (1976). "The laser in the Lowry technique for microdissection of freeze-dried tissue slices" <i>Histochemical J.</i> 8:387-401.
81.	Murakami, Hiroshi et al. (2000). "IF-LCM: Laser capture microdissection of immunofluorescently defined cells for mRNA analysis" <i>Kidney International</i> 58:1346-1353.
82.	Reiss, Susan M. (May/June 1999). "Laser capture microdissection provides key to gene behavior" <i>Biophotonics International</i> pp. 1-2.
83.	Relman, David A. (21 May 1999). "The search for unrecognized pathogens" <i>Science</i> 284:1-3.
84.	Schindler, Melvin (1998). "Select, microdissect, and eject" <i>Nature Biotechnology</i> 16:719-720.
85.	Schütze, Karin & Lahr, Georgia (1998). "Identification of expressed genes by laser-mediated manipulation of single cells" <i>Nature Biotechnology</i> 16:737-742.
86.	Shen, Chen-Yang et al. (July 15, 2000). "Genome-wide search for loss of heterozygosity using laser capture microdissected tissue of breast carcinoma: An implication for mutator phenotype and breast cancer pathogenesis" <i>Cancer Research</i> 61:3884-3892.
87.	Sinclair, Bob (November 8, 1999). "The cell is my test tube. Micromanipulation tools for cell science" <i>The Scientist</i> 13(22):17, pp. 1-8.

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		Applicant	Thomas M. BAER et al.
		Filing Date April 19, 2004	Group Art Unit Not yet assigned
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88.	Tam, Andrew S. et al. (August 1, 1991). "High frequency and heterogeneous distribution of <i>p53</i> mutations in aflatoxin B <sub>1</sub> -induced mouse lung tumors" <i>Cancer Research</i> 59:3634-3640.
89.	Veigel, Claudia et al. (1994). "New cell biological applications of the laser microbeam technique: the microdissection and skinning of muscle fibers and the perforation and fusion of sarcolemma vesicles" <i>Eur. J. Cell Biology</i> 63:140-148.

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